

for example, incorrect or missing reference numbers and section lines. Proposed drawing corrections for FIGS. 2, 4, 5A, 9, 10A, 11A, 12A and 12B are being submitted herewith showing corrections in red ink to address the informalities noted by the Examiner. It is respectfully submitted that the proposed drawing corrections overcome the objections to the drawings.

The Abstract of the Disclosure is objected to for being too long. The Abstract of the Disclosure is amended herein so as not to exceed 150 words. It is therefore respectfully submitted that the amended Abstract of the Disclosure overcomes the Examiner's objection.

The specification is objected to on the basis of several informalities including incorrect reference numbers. The specification is amended herein to address these objections. It is therefore respectfully submitted that the amendments to the specification overcomes the Examiner's objection.

Claims 4, 36, 47 and 48 are objected to under 37 C.F.R. § 1.75(c) for, according to the Examiner, being of improper dependent form for failing to further limit the subject matter of a previous claim. The Examiner states that the recitation that the plurality of openings are within the razor cartridge receiving area appears to contradict the recitation in claims 1, 32 and 45 that the openings are adjacent the razor cartridge receiving area. In response to the objection, claims 4, 36, 47 and 48 are being amended to clarify that the openings recited in these dependent claims are distinct from the openings recited in the independent claims.

The distinct openings find support in the specification and drawings. As shown in FIG. 1A, for example, the apertures or openings 46 adjacent to the razor cartridge receiving area 32 are distinct from the central apertures or openings 48 within the razor cartridge receiving area. Accordingly, it is respectfully submitted that the objection to claims 4, 36, 47 and 48 is overcome.

Claim 29 is rejected under 35 U.S.C. § 112, first paragraph as, according to the Examiner, containing subject matter which was not described in the specification in

such a way as to reasonably convey to one skilled in the relevant art that the inventor, at the time the application was filed, had possession of the claimed invention. The rejection is traversed and reconsideration is respectfully requested.

The Examiner states that support does not appear to be provided for one or more razor cartridges to be permanently secured to the cap. However, the Examiner is respectfully directed to the specification at page 14, lines 2-5 which states that "...one or more razor cartridges may be permanently attached to the upper end 23 of cap 28". (Reference number 23 reflects amendment in this Response). It is therefore respectfully submitted that the § 112, first paragraph rejection is improper and should be removed.

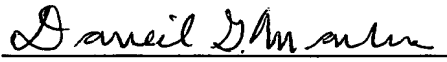
Claims 1-4, 25-29, 32, 35, 36, 42 and 45-48 are rejected under 35 U.S.C. § 112, second paragraph on grounds of indefiniteness. The rejection is traversed and reconsideration is respectfully requested, particularly in view of the clarifying amendments to the claims.

Claims 4, 36, 47 and 48 have been amended to clarify that the openings recited in these claims are distinct from the openings recited in the independent claims. The remaining rejected claims have been amended to remove the objected terminology. It is therefore respectfully submitted that amendments to claims 1-4, 25-29, 32, 35, 36, 42 and 45-48 overcome the § 112, second paragraph rejection.

In view of the foregoing, it is respectfully submitted that claims 1-4, 25-29, 32, 35, 36, 42 and 45-48 are allowable. All issues raised by the Examiner having been addressed, an early action to that effect is earnestly solicited.

No fees or deficiencies in fees are believed to be owed. However, authorization is hereby given to charge our Deposit Account No. 13-0235 in the event any such fees are owed.

Respectfully submitted,

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### **Marked-up Version of Amendments**

A marked-up version of the amendments is set forth below showing additions with underlining and deletions between brackets.

#### **In the Specification:**

Paragraph at page 4, lines 10-23.

In response to the problems associated with shaving in a shower, commonly assigned U.S. Patent Application [09/ \_\_\_\_\_, filed February \_\_, 2000] 09/505,408, filed February 16, 2000, entitled "Wet Shaving Assembly," discloses a shaving assembly for simultaneously applying a shaving preparation and removing hair in a single step. The shaving assembly includes a base having an upper end, a lower end and a hollow space between the upper and lower ends, whereby the hollow space defines an opening at the upper end of the base. The shaving assembly also includes a receiver for a razor, such as a cartridge receiver for a razor blade cartridge, that is connected with the base and that is disposed at the opening at the upper end of the base. The cartridge receiver has a perimeter and the opening at the upper end of the base completely surrounds the perimeter of the cartridge receiver. The hollow space of the base is adapted for containing a substantially solid shaving preparation, such as a soap cake, or a body wash and may be combined with skin beneficial ingredients and/or scent.

Paragraph at page 12, line 12 to page 13, line 11.

Figure 1 shows a perspective view of a lubricating shaving assembly in accordance with certain preferred embodiments of the present invention. The lubricating shaving assembly 20 includes an upper end 22, a lower end 24 and one or

more sidewalls 26 extending between the upper and lower ends. In the particular embodiment shown in Figure 1, the upper end of the assembly comprises a cap or cover 28 that is releasably attached to the lower end or dispensing portion 30 of the assembly. The cap 28 preferably includes a razor cartridge receiving area 32 that is adapted for receiving one or more razor cartridges (not shown). The razor cartridge receiving area 32 is preferably a depression formed in a top face of the cap 28. The razor cartridge receiving area includes a first set of slots 34A, 34B that are sized for receiving the ends of a razor cartridge (not shown). The razor cartridge receiving area also includes a second set of slots 36A, 36B that are sized for receiving the ends of a second razor cartridge (not shown). The cap 28 also preferably includes two retaining tabs 38A, 38B that are permanently attached to the cap by flexible hinges 40A, 40B. Each retaining tab 38A, 38B is movable between an open position shown in Figure 1 and a closed position (Figure 10A) that will be shown and described in more detail below. [The] An upper end [22] 23 of cap 28 preferably includes depressions 42A, 42B provided between the two sets of slots 34, 36. In turn, each retaining tab 38A, 38B includes a projection 44 that is sized to fit within the depressions 42A, 42B when the retaining tabs are in a closed position. The frictional engagement between the projections 44 and the depressions [40] 42 holds the retaining tabs in the closed position so as to secure one or more razor cartridges within the razor cartridge receiving area 32.

Paragraph at page 13, lines 12-21.

The upper end [22] 23 of cap 28 also preferably includes a plurality of apertures 46 that surround at least a portion of the perimeter of the razor cartridge receiving area 32. The cap may also include central apertures 48 provided within the razor cartridge receiving area 32. The peripheral apertures 46 surrounding the razor cartridge receiving area 32, and the central apertures 48 provided within the razor

cartridge receiving area 32 are desirably in communication with an underside (not shown) of the cap. As will be described in more detail below, the apertures 46, 48 provide a path for a lubricating shaving preparation to be dispensed within and around the razor cartridge receiving area 32. As a result, the shaving preparation may be provided about the razor cartridges during a shaving operation.

Paragraph at page 13, line 22 to page 14, line 11.

Figure 2 shows cap 28 detached from an upper end 50 of dispenser portion 30. The outer perimeter 52 of the upper end 50 of dispenser portion 30 is preferably sized and shaped for closely engaging the inner surface of cap 28, adjacent the lower end 54 of cap 28. In certain preferred embodiments, one or more razor cartridges may be permanently attached to the upper end [22] 23 of cap 28, and when the cutting blades of the razor cartridges are dull or worn, the cap 28 may be detached from dispenser 30 and replaced with a new cap having fresh razor cartridges. In other embodiments, the dispenser portion 30 of the shaving assembly [10] 20 may be disposable. In these embodiments, the dispenser portion 30 may be disposed when all of the lubricating shaving preparation provided in the reservoir of the dispenser 30 has been dispensed. Thus, either the cap, the dispenser portion 30, or both the cap and the dispenser may be disposable. The razor cartridges (not shown) secured to the razor cartridge receiving area 32 may also be disposable.

Paragraph at page 14, lines 12-24.

Figures 3 and 4 show a movable platform or pedestal 56 that is provided within the interior portion of the dispenser portion 30 of the assembly. Referring to Figure 3, dispenser portion 30 includes sidewalls 26 extending from the lower end 24 of assembly 20 toward the upper end [(not shown)] 22 thereof. The sidewalls 26

have an exterior surface 58 and an interior surface 60. Shaving assembly 20 includes a reservoir for a mass of a shaving preparation. The reservoir 62 is defined by the upper surface 64 of pedestal 56, interior surface 60 of sidewalls 26 and an underside (not shown) of cap 28 [(not shown)]. A lubricating shaving preparation such as a jell, cream, lotion, oil or skin softener is preferably disposed within the reservoir [64] 62. The outer perimeter 66 of pedestal 64 is preferably sized and shaped to form a fluid-tight seal with the interior surface 60 of sidewalls 26 so that the shaving preparation may not pass between the outer perimeter 66 of pedestal 56 and interior surface 60 of sidewalls 26.

Paragraph at page 15, line 20 to page 16, line 8.

Referring to Figures 5A and 5B, the knob 74 may be rotated for moving pedestal 56 toward the upper end 22 of assembly 20. Referring to Figures 3, 4, 5A and 5B, pedestal 56 includes a central opening 86 having internal threads 88 adapted to mesh with the external threads [76] 78 of threaded shaft 70. As knob 74 is rotated, external threads [76] 78 of shaft 70 engage internal threads 88 of central opening 86 so that the pedestal 56 moves in an upper direction toward the upper end 22 of shaving assembly 20. As a result, the top surface 64 of pedestal 56 engages shaving preparation 90 for urging the shaving preparation to pass through the apertures 46, 48 extending through cap 28. Each time a user of the shaving assembly 20 requires additional lubricant and/or shaving preparation, the knob 74 may be rotated for moving the pedestal toward the upper end of the assembly and dispensing additional shaving preparation.

Paragraph at page 16, lines 9-19.

Figures 6 and 7 show another embodiment of the present invention wherein the adjustable element 68' is substantially similar to that shown and [describe] described above[,] ; however, a ratcheting mechanism has replaced the rotatable knob 74 shown in Figures 3, 4, 5A and 5B. The assembly includes dispenser portion 30', having sidewalls 26' including exterior surface 58' and interior surface 60'. The outer perimeter 66' of pedestal 56' closely engages the interior surface 60' of sidewall 26'. The adjustable mechanism 68' includes shaft 80' having an upper end and a lower end 72' remote therefrom. Ratcheting mechanism 92' engages external threads 76' on shaft [70'] 80' for moving pedestal 56' in an upward direction. The ratcheting mechanism 92' preferably includes a depressible button 94' for incrementally urging the pedestal 56' in an upward direction.

Paragraph at page 16, line 20 to page 17, line 7.

Figure 7 shows a bottom view of the ratcheting mechanism 68' shown in Figure 6. The ratcheting mechanism includes a rotatable wheel 96' having teeth 98'. The depressible button 94' is connected to a spring 100' that returns the depressible button 94' to an undepressed or start position. The button 94' also includes a lever 102' connected thereto that engages the gear teeth 98' of ratchet wheel 96' to rotate the wheel when the button 94' is depressed. The ratcheting mechanism also includes an anti-rotating latch 104' that ensures that the wheel 96' is able to turn in only one direction. In operation, depressible button 94' is depressed for rotating wheel 96' which, in turn, rotates shaft [70'] 80' (Figure 6) for moving the platform 56' in an upward direction so as to dispense shaving preparation 90' through the openings at the upper end of the assembly.



Paragraph at page 17, lines 8-18.

Figure 8 shows the shaving assembly 20 of Figure 1 having a first cartridge [receiver] 110 positioned within the razor cartridge receiving area 32. The first razor cartridge 110 includes one or more cutting blades 112 extending in directions substantially parallel to the longitudinal axis of the first razor cartridge 110. The ends of the first razor cartridge 110 include cylindrical-shaped rods or projections 114 that are sized and shaped to fit within the slots 34A, 34B formed in the top surface of cap 28 so that the razor cartridge 110 may pivot relative to the razor cartridge receiving area 32. The razor [cartridges] cartridge receiving area 32 also includes one or more bumpers 116 that are positioned for abutting against a portion of the first razor cartridge so as to limit the pivotal movement of the razor cartridge 110.

Paragraph at page 18, line 17 to page 19, line 6.

When the movable pedestal (Figures 3 and 6) is moved toward the upper end 22 of the shaving assembly 20, the fluid shaving preparation 90 is dispensed through the peripheral apertures 46, as well as the central apertures 48 within the razor cartridge receiving area 32. As a result, the shaving preparation 90 is provided around the first and second razor cartridges 110A, 110B. Thus, an individual using the shaving assembly 20 will be able to simultaneously apply the fluid shaving preparation 90 immediately prior to shaving the shaving surface with the cutting blades of the first and second razor cartridges 110A, 110B. When the shaving preparation is washed away, the supply of shaving preparation may be replenished by actuating the adjustable element 68, 68' to dispense additional shaving preparation. The shaving assembly 20 may shave in any direction because the

peripheral apertures 46 and central apertures 48 dispense shaving preparation completely around the perimeter of the razor cartridges 110A, 110B.

**In the Claims:**

**Claim 1**

1. (Amended) A lubricating shaving assembly comprising:  
a grippable body having an upper end, a lower end, and one or more side walls extending between the upper and lower ends, said body including a storage reservoir [adapted] for holding a shaving preparation, said storage reservoir being substantially enclosed by the upper and lower ends and the one or more side walls of said body;  
the upper end of said body having a razor cartridge receiving area adapted for having one or more razor cartridges attached to the receiving area, the upper end of said body further including a plurality of openings adjacent the razor cartridge receiving area and in communication with said storage reservoir; and  
a pedestal disposed within said storage reservoir of said body, wherein said pedestal is selectively movable between the lower and upper ends of said body for dispensing the fluid shaving preparation through said plurality of openings at the upper end of said body.

**Claim 4**

4. (Amended) The shaving assembly as claimed in claim 3, [wherein] further including one or more [of the] plurality of openings at the upper end of said body [are] disposed within said razor cartridge receiving area.

Claim 32

32. (Amended) A shaving assembly comprising:

a handle having an upper end, a lower end and a substantially enclosed storage reservoir between the upper and lower ends, said storage reservoir being [adapted] for holding a fluid shaving preparation;

the upper end of said handle having a razor cartridge receiving area [adapted] for having one or more razor cartridges attached thereto, the upper end of said handle further including a plurality of openings adjacent the razor cartridge receiving area and in communication with said storage reservoir; and

a pedestal disposed within said storage reservoir and movable toward the upper end of said handle for urging the fluid shaving preparation through said plurality of openings.

Claim 36

36. (Amended) The shaving assembly as claimed in claim 32, [wherein] further including one or more [of the] plurality of openings [are] disposed within the razor cartridge receiving area at the upper end of said handle.

Claim 45

45. (Amended) A lubricating shaving assembly comprising:

a dispenser having an upper end, a lower end, and side walls extending between the upper and lower ends, said dispenser including a storage reservoir for holding a fluid shaving preparation;

a cap [securable over] removably secured to the upper end of said dispenser, wherein said storage reservoir is surrounded by the lower end and side walls of said dispenser and said cap;

an upper end of said cap having a razor cartridge receiving area [adapted] for having one or more razor cartridges secured within the receiving area, the upper

end of said cap further including a plurality of apertures adjacent the razor cartridge receiving area and in communication with said storage reservoir; and

a pedestal disposed within said storage reservoir of said dispenser, wherein said pedestal is selectively movable toward said cap for dispensing fluid shaving preparation through said plurality of apertures at the upper end of said body.

Claim 47

47. (Amended) The shaving assembly as claimed in claim 45, [wherein] further including at least one [of the plurality of apertures] aperture at the upper end of said cap [underlies] underlying the one or more razor cartridges secured within the razor cartridge receiving area for allowing said fluid shaving preparation to flow around said razor cartridges.

Claim 48

48. (Amended) The shaving assembly as claimed in claim 46, wherein the razor cartridge receiving area includes one or more [of the plurality of] apertures at the upper end of said cap.

In the Abstract of the Disclosure:

The Abstract of the Disclosure is replaced with the following:

A shaving assembly includes a grippable body having an upper end, a lower end, and one or more side walls extending [between the upper and lower ends] therebetween. The body includes a storage reservoir [adapted] for holding a fluid shaving preparation[, such as a shaving gel, shaving cream, shaving oil, foam or lotion]. The storage reservoir is [substantially] enclosed by the upper and lower ends and the one or more side walls of the body. The upper end of the body has a razor cartridge receiving area [that is adapted] for having one or more razor



cartridges attached thereto. The upper end of the body also has a plurality of openings adjacent the razor cartridge receiving area and in communication with the storage reservoir. A pedestal is disposed within the storage reservoir [of the body]. The pedestal is selectively movable between the lower and upper ends of the body for urging the fluid shaving preparation through the plurality of openings at the upper end of the body [so as] to dispense the shaving preparation around the razor cartridges.

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